

CIVIL COVER SHEET

The civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON THE REVERSE OF THE FORM.)

(a) PLAINTIFFS**DEFENDANTS**

(b) County of Residence of First Listed Plaintiff _____
(EXCEPT IN U.S. PLAINTIFF CASES)

County of Residence of First Listed Defendant _____
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE LAND INVOLVED.

(c) Attorney's (Firm Name, Address, and Telephone Number)

Attorneys (If Known)

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- | | |
|-----------------------------|---|
| 1 U.S. Government Plaintiff | 3 Federal Question (U.S. Government Not a Party) |
| 2 U.S. Government Defendant | 4 Diversity (Indicate Citizenship of Parties in Item III) |

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

	PTF	DEF		PTF	DEF
Citizen of This State	1	1	Incorporated <i>or</i> Principal Place of Business In This State	4	4
Citizen of Another State	2	2	Incorporated <i>and</i> Principal Place of Business In Another State	5	5
Citizen or Subject of a Foreign Country	3	3	Foreign Nation	6	6

IV. NATURE OF SUIT (Place an "X" in One Box Only)

CONTRACT	TORTS		FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
110 Insurance	PERSONAL INJURY	PERSONAL INJURY	610 Agriculture	422 Appeal 28 USC 158	400 State Reapportionment
120 Marine	310 Airplane	362 Personal Injury—	620 Other Food & Drug	423 Withdrawal	410 Antitrust
130 Miller Act	315 Airplane Product Liability	Med. Malpractice	625 Drug Related Seizure of Property 21 USC 881	28 USC 157	430 Banks and Banking
140 Negotiable Instrument	320 Assault, Libel & Slander	365 Personal Injury — Product Liability	630 Liquor Laws		450 Commerce/ICC Rates/etc.
150 Recovery of Overpayment & Enforcement of Judgment	330 Federal Employers' Liability	368 Asbestos Personal Injury Product Liability	640 R.R. & Truck	PROPERTY RIGHTS	460 Deportation
151 Medicare Act	340 Marine		650 Airline Regs.	820 Copyrights	470 Racketeer Influenced and Corrupt Organizations
152 Recovery of Defaulted Student Loans (excl. vet.)	345 Marine Product Liability	PERSONAL PROPERTY	660 Occupational Safety/Health	830 Patent	480 Consumer Credit
153 Recovery of Overpayment of Veteran's Benefits	350 Motor Vehicle	370 Other Fraud	690 Other	840 Trademark	490 Cable/Satellite TV
160 Stockholders' Suits	355 Motor Vehicle Product Liability	371 Truth in Lending			810 Selective Service
190 Other Contract	360 Other Personal Inj.	380 Other Personal Property Damage	LABOR	SOCIAL SECURITY	850 Security/Commodity/Exch.
195 Contract Product Liability		385 Property Damage Product Liability	710 Fair Labor Standards Act	861 HIA (1395ff)	875 Customer Challenge 12 USC 3410
196 Franchise			720 Labor/Mgmt. Relations	862 Black Lung (923)	891 Agricultural Acts
			730 Labor/Mgmt. Reporting & Disclosure Act	863 DIWC/DIWW (405(g))	892 Economic Stabilization Act
			740 Railway Labor Act	864 SSID Title XVI	893 Environmental Matters
			790 Other Labor Litigation	865 RSI (405(g))	894 Energy Allocation Act
			791 Empl. Ret. Inc. Security Act	FEDERAL TAX SUITS	895 Freedom of Information Act
				870 Taxes (U.S. Plaintiff or Defendant)	900 Appeal of Fee
				871 IRS—Third Party 26 USC 7609	Determination Under Equal Access to Justice
					950 Constitutionality of State Statutes
					890 Other Statutory Actions

V. ORIGIN (PLACE AN "X" IN ONE BOX ONLY)

- | | | | | | | |
|-----------------------|----------------------------|---------------------------------|--------------------------|---|----------------------------|---|
| 1 Original Proceeding | 2 Removed from State Court | 3 Remanded from Appellate Court | 4 Reinstated or Reopened | 5 Transferred from another district (specify) | 6 Multidistrict Litigation | 7 Appeal to District Judge from Magistrate Judgment |
|-----------------------|----------------------------|---------------------------------|--------------------------|---|----------------------------|---|

VI. CAUSE OF ACTION (Enter U.S. Civil Statute under which you are filing and write a brief statement of cause.)**VII. PREVIOUS BANKRUPTCY MATTERS** (For nature of suit 422 and 423, enter the case number and judge for any associated bankruptcy matter perviously adjudicated by a judge of this Court. Use a separate attachment if necessary)**VIII. REQUESTED IN COMPLAINT:**

CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23

DEMAND \$

CHECK YES only if demanded in complaint:
JURY DEMAND: Yes No

IX. This case

is not a refile of a previously dismissed action.

is a refile of case number _____, previously dismissed by Judge _____

FILED: AUGUST 27, 2008
08CV4912

DATE

SIGNATURE OF ATTORNEY OF RECORD

JUDGE MANNING

MAGISTRATE JUDGE DENLOW

AO